

1                                   **BEFORE THE INSURANCE COMMISSIONER**  
2                                   **OF THE STATE OF CALIFORNIA**

3  
4   In the Matter of  
5   THE CALIFORNIA FAIR PLAN  
6   ASSOCIATION

File No. MI04039764  
ORDER REGARDING ELIGIBLE  
GEOGRAPHIC AREAS

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9           **GOOD CAUSE APPEARING**, it is hereby ordered:

10           The Commissioner's May 30, 2001 Order (File No. MI-01-4691, copy attached) is hereby  
11   rescinded.

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13           **FURTHERMORE**, it is ordered that:

14           In addition to the geographic areas previously designated by the Commissioner, which  
15   include urban and designated brush hazard areas, the following geographic areas are hereby  
16   designated as eligible for insurance coverage through the California FAIR Plan:

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18           The specific address of real or personal property in which a person has an insurable  
19   interest where, after diligent effort, such person has been unable to obtain basic property  
20   insurance through normal channels from an admitted insurer or a licensed surplus line broker.

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22           The person seeking basic property insurance through the FAIR Plan for their specific  
23   address or their licensed insurance producer shall provide a written statement to the FAIR Plan  
24   that, after diligent effort, he/she has been unable to obtain insurance from an admitted insurer or a  
25   licensed surplus line broker, and list the names of at least three admitted insurers or licensed  
26   surplus line brokers from whom he/she has attempted but has been unable to obtain insurance.

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28           The subject property must otherwise meet reasonable underwriting standards including,

1 but not limited to, the following, as set forth in the FAIR Plan's Plan of Operation:

- 2 1. physical condition of the property, such as its construction, heating, wiring, evidence of  
3 previous fires or general deterioration;  
4 2. its present use or housekeeping, such as vacancy, overcrowding, storage of rubbish or  
5 flammable materials; or  
6 3. other specific characteristics of ownership, condition, occupancy, or maintenance which  
7 are violative of public policy and result in unreasonable exposures to loss.

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9 This order is issued pursuant to the authority of California Insurance Code Section  
10 10091(c) and shall be effective immediately.

11  
12 Dated: \_\_\_\_\_.

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16 JOHN GARAMENDI  
Insurance Commissioner 8-24-04

1 **BEFORE THE INSURANCE COMMISSIONER**  
2 **OF THE STATE OF CALIFORNIA**  
3

4 In the Matter of

5 THE CALIFORNIA FAIR PLAN  
6 ASSOCIATION  
7

File No. MI-01-01-4691

ORDER REGARDING ELIGIBLE  
GEOGRAPHIC AREAS

8  
9 **GOOD CAUSE APPEARING**, it is hereby ordered:

10 In addition to the geographic areas previously designated by the Commissioner in his  
11 September 1, 1999 Order (copy attached) as being eligible for insurance coverage through the  
12 FAIR Plan, the following geographic areas are hereby designated as eligible for insurance  
13 coverage through the FAIR Plan:  
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15 The specific address of real or personal property in which a person has an insurable  
16 interest where, after diligent effort, such person has been unable to obtain basic property  
17 insurance through normal channels through an admitted insurer or a licensed surplus line broker.  
18 Evidence that a diligent effort has been made shall be shown by satisfying the following criteria:

- 19 a. The person seeking basic property insurance through the FAIR Plan must show that  
20 he/she has contacted but been rejected by at least three admitted or non-admitted insurers.  
21 b. The person shall contact the FAIR Plan in writing and request expansion of FAIR Plan  
22 eligible areas to include the address of the person's property for which insurance is  
23 unavailable.  
24 c. The person shall include the following in his/her letter to the FAIR Plan 1) copies of at  
25 least three written rejections received from either admitted insurers or a licensed surplus  
26 line broker on behalf of non-admitted insurers; 2) the reason for the rejections; 3) the  
27 name of the agent or broker who attempted to place the insurance.  
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1 The subject property must otherwise meet reasonable underwriting standards including,  
2 but not limited to, the following, as set forth in the FAIR Plan's Plan of Operation:

- 3 1. physical condition of the property, such as its construction, heating, wiring, evidence of  
4 previous fires or general deterioration;  
5 2. its present use or housekeeping, such as vacancy, overcrowding, storage of rubbish or  
6 flammable materials; or  
7 3. other specific characteristics of ownership, condition, occupancy, or maintenance which  
8 are violative of public policy and result in unreasonable exposures to loss.  
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10 This order is issued pursuant to the authority of California Insurance Code Section  
11 10091(c) and shall be effective immediately.  
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13 Dated: May 30, 2001

HARRY W. LOW  
Insurance Commissioner

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16 By \_\_\_\_\_  
Deputy Commissioner  
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